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PATENT
#6
13024/37276
J. J. J.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

John McMICHAEL

Serial No.: 09/834,450

Filed: **April 13, 2001**

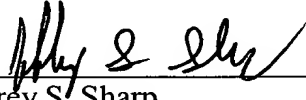
For: **METHOD FOR PREVENTING
ALLOGRAFT REJECTION**

Group Art Unit: 1644

Examiner: Gerald R. Ewoldt

) I hereby certify that this paper and the
) documents referred to as enclosed
) therewith are being deposited with the
) United States Postal Service as first class
) mail, postage prepaid, in an envelope
) addressed to Commissioner for Patents,
) P.O. Box 1450, Alexandria, Virginia
) 22313-1450

) **June 23, 2003**

) 
) Jeffrey S. Sharp
) Registration No. 31,879
) Attorney for Applicant

**RESPONSE TO RESTRICTION REQUIREMENT
AND ELECTION OF SPECIES**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This is in response to the Office Action dated May 22, 2003 in which claims 1-12 were subjected to a seven way restriction requirement. Reconsideration of that restriction requirement and provisional election of species is requested for the following reasons.

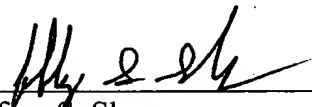
Applicant traverses the restriction requirement because there exists a single inventive concept in the neutralization of a recipient's immune rejection of donated tissue by the use of a low concentration of donor tissue. As such, the multiple species of Applicant's invention constitute obvious variants of one another. Nevertheless, Applicant designates the method of Claim 11 wherein the allograft is of pancreatic beta cells. As such, claims 1-9 and 11 read on that provisionally elected subject matter.

The Commissioner is authorized to charge any fee deficiency required by the paper to
Deposit Account No. 13-2855.

Respectfully submitted,

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June 23, 2003

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